

**DETAILED ACTION**

This Office Action Acknowledges the applicant's amendment filed on 12/5/2009.

Claims 5-8 were withdrawn.

Claims 1-4, 9-18 are pending in this application.

***Claim Rejections - 35 USC § 112***

1. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

1. Claims 1-4, 9-18 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claims 1 and 18 recites the limitation "not flat" in line 8 and line 7 respectively. It is not clear what does the term "not flat" means. Correction is required.

***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

FIG. 3

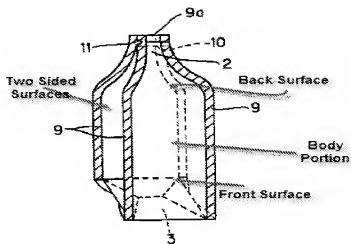
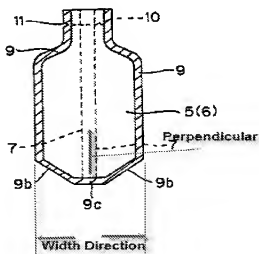


FIG. 4



Claims 1-4, 9, 11, 12, 13, and 18 are rejected under 35 U.S.C 102 (b) as being unpatentable over Ichikawa et al. (U.S. Publication No. 6126315).

Regarding claim 1, A method of preparing a self-supporting bag 51, comprising folding a main body of the self-supporting bag as illustrated in Fig. 4, including a body portion

as labeled above in Fig. 3 and a bottom portion as labeled above in Fig. 3 which is molded (Ichikawa, page 2, lines 5-10) such that the bottom portion is parallel to the body portion is parallel to the body portion and the self-supporting bag is flat as illustrated in Fig. 4; and maintaining the folded self-supporting bag by standing up both side portions of the main body in a width direction as labeled above in Fig. 4, including the body portion and the bottom portion, such that the self-supporting bag is not flat, wherein the main body is comprised of synthetic resin (Ichikawa, page 2, lines 43-48).

Regarding claim 2, Wherein the folding includes folding the bottom portion into two as illustrated in Fig. 3 toward an inner side of the body portion so as to fold the bottom portion in parallel to the body portion as illustrated in Fig. 4.

Regarding claim 3, Wherein the folding includes folding the bottom portion into two toward an outer side 5 of the body portion so as to fold the bottom portion in parallel to the body portion as illustrated in Fig. 4.

Regarding claim 4, Maintaining means capable of maintaining the folded state of the bag's main body as illustrated in Fig 4.

Regarding claim 9, Filling the bag's main body with liquid detergent (Ichikawa, page 2, lines 20 - 25).

Regarding claim 11, Wherein the body portion includes two side surfaces as labeled above in Fig. 3 and the folding includes folding each of the two side surfaces into two toward an inner side of the body portion so as to fold the body portion in parallel to the bottom portion as illustrated Fig. 4.

Regarding 12, Wherein the maintaining includes standing up both of the side portions of the main body in the width direction such that the side portions extend in a direction perpendicular to a central portion of the main body as labeled above in Fig. 4.

Regarding claim 13, Wherein the body portion includes a front surface as labeled above in Fig. 3 and a back surface as labeled above in Fig. 3 and the front surface is attached via fusion bonding (Ichikawa, page 2, lines 5-10) to the back surface along a top edge 9 of the main body to form a charging portion 9a, and the method further comprises: opening the charging portion; filling the self-supporting bag with a component via the charging portion; and after the filling, sealing the charging portion via heat sealing (Ichikawa, page 10, lines 4 - 14).

Regarding claim 18, A method of preparing a self-supporting bag 51, comprising: folding a main body of the self-supporting bag as illustrated in Fig. 4, including a body portion as labeled above in Fig. 3 and a bottom portion as labeled above in Fig. 3 which is molded (Ichikawa, page 2, lines 5-10) such that the bottom portion is parallel to the body portion and the self-supporting bag is flat as illustrated in Fig. 4; and maintaining

the folded self-supporting bag by standing up both side portions of the main body in a width direction as labeled above in Fig. 4, including the body portion and the bottom portion, such that the support bag is not flat.

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

1. The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

Claim 10 is rejected under 35 U.S.C. 103(a) as being obvious over Ichikawa et al. (U.S. Publication No. 6126315) as applied to claim 1, and further in view of Shimada Shinji (US Patent No.:2001072030).

Regarding claim 10, Ichikawa teaches the invention as claimed, and Ichikawa further teaches the body portion as labeled above in Fig. 3 includes two side surfaces and the

folding includes folding each of the two side surfaces and bottom portion as illustrated in Fig. 4. However, Ichikawa does not teach folding of two side surfaces into outwards side position. Shimada Shinji teaches two side surfaces into an outward position as illustrated in Fig. 8 in order to increase the volume of the container. It would have been obvious to one of the ordinary skills in the art at the time of the invention, to modify the shape of the upper portion of Ichikawa into outward position as taught by Shimada Shinji in order to increase the volume of the container opening because it has been held that combining prior art elements according to known methods to yield predictable results would have been an obvious extension to prior art teachings, *KSR*, 550 U.S. at \_\_\_, 82 USPQ2d at 1396, MPEP 2141III A.

Claims 15 and 16 are rejected under 35 U.S.C. 103(a) as being obvious over Ichikawa et al. (U.S. Publication No. 6126315) as applied to claim 4, and further in view of Shimada Shinji (JP Patent No.:2001072030).

Regarding claim 15, Ichikawa teaches the invention as claimed with exception of a convex and concave in body portion. Shimada Shinji teaches a concave and convex portion in order to place the container in flat and open position as illustrated in Fig. 3. It would have been obvious to one of the ordinary skills in the art at the time of the invention, to modify the body portion of Ichikawa with a concave and convex as taught by Shimada Shinji in order to place the container in flat and open position because it has been held that combining prior art elements according to known methods to yield

predictable results would have been an obvious extension to prior art teachings, *KSR*, 550 U.S. at \_\_\_, 82 USPQ2d at 1396, MPEP 2141III A.

Regarding 16, Ichikawa teaches the invention as claimed with exception of a convex and concave in the bottom portion. Shimada Shinji teaches a concave and convex portion in order to place the container in flat and open position as illustrated in Fig. 3. It would have been obvious to one of the ordinary skills in the art at the time of the invention, to modify the body portion of Ichikawa with a concave and convex as taught by Shimada Shinji in order to place the container in flat and open position because it has been held that combining prior art elements according to known methods to yield predictable results would have been an obvious extension to prior art teachings, *KSR*, 550 U.S. at \_\_\_, 82 USPQ2d at 1396, MPEP 2141III A.

Claim 14 is rejected under 35 U.S.C. 103(a) as being obvious over Ichikawa et al. (U.S. Publication No. 6126315) as applied to claim 13.

Regarding claim 14, Ichikawa teaches the invention as claimed with exception of a pouring port. It would have been obvious to one of the ordinary skills in the art at the time of the invention to make a pouring port any where on the body portion of the self-supporting bag with any cutting tool, as a matter of obvious extension of prior art teachings.

Claim 17 is rejected under 35 U.S.C. 103(a) as being obvious over Ichikawa et al. (U.S. Publication No. 6126315) as applied to claim 4, and further in view of Pryor et al. (US Patent No.:5529396).

Regarding claim 17, Ichikawa teaches the invention as claimed as applied to claim 4 with exception of a holt melt. Pryor et al. teaches a holt melt 51 in order to close the flaps together. It would have been obvious to one of the ordinary skills in the art at the time of the invention, to modify the bottom portion of Ichikawa with a holt melt as taught by Pryor in order to close the flaps (Pryor, page 6, lines 41-50).

#### ***Response To Arguments***

Applicant's arguments filed 12/5/2009 have been fully considered but they are not persuasive. The arguments have been addressed in the body of the rejections, which have been modified at appropriate locations, to reflect the rejection of the newly added limitations.

1. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period



Art Unit: 3728

will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

/RISHI VERMA/

Examiner, Art Unit 3728

/Ehud Gartenberg/

Supervisory Patent Examiner, Art Unit 3728